

ORDINANCE NO. 20070201-008

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE A COST REIMBURSEMENT AGREEMENT WITH SAMSUNG AUSTIN SEMICONDUCTORS, L.L.C. FOR CONSTRUCTION OF A WASTEWATER METER AND APPURTENANCES TO SERVE THE SAMSUNG CHIP MANUFACTURING FACILITY ON PARMER LANE; AND WAIVING CERTAIN REQUIREMENTS OF SECTIONS 15-9-272, 15-9-273, 15-9-275 AND 15-9-285 OF THE CITY CODE RELATING TO PAYMENT FOR AND MAINTENANCE OF METERS AND ORDINANCE NUMBER 20060911-004 RELATING TO INSPECTION FEES.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. This ordinance applies to cost reimbursement to Samsung Austin Semiconductor, L.L.C. ("Samsung") for construction of a wastewater meter and appurtenances to serve the Samsung chip manufacturing facility on Parmer Lane.

PART 2. The council authorizes the city manager to negotiate and execute a cost reimbursement agreement with Samsung Austin Semiconductor, L.L.C. in accordance with the following requirements:

- (A) total cost reimbursement for construction of a wastewater meter and appurtenances may not to exceed \$500,000.00; and
- (B) cost reimbursement for engineering, design, and project management may not exceed 15 percent of the actual construction costs.

PART 3. The council waives:

- (A) the requirement of Section 15-9-272 (*Installation of Wastewater Meter Required*) of the City Code that a wastewater meter be installed at the customer's expense;
- (B) the requirement of Section 15-9-273 (*Installation of Data Logging and Telemetry Equipment Required*) of the City Code that a data logger and telemetry equipment be installed at the customer's sole expense;
- (C) the requirement of Section 15-9-275 (*Dedication of Metering Facilities*) of the City Code that the customer may not charge the City for a wastewater meter dedicated to the City;

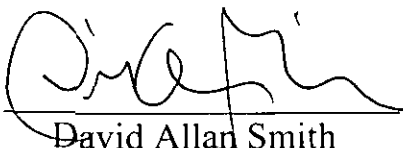
- (D) the requirement of Section 15-9-285 (*Operation and Maintenance in Accordance with Manufacturer's Specifications*) of the City Code that the City operate and maintain a dedicated wastewater meter, data logging equipment or telemetry equipment; and
- (E) the requirement for payment of the construction inspection and review fees established in Ordinance No. 060911-004, to allow reimbursement of the construction inspection and review fees of the wastewater meter and appurtenances.

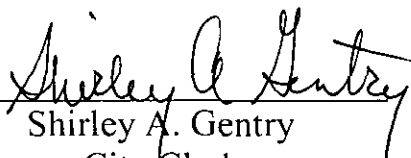
PART 4. This ordinance takes effect on February 12, 2007.

PASSED AND APPROVED

February 1, 2007 §
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Will Wynn
Mayor

APPROVED: 
David Allan Smith
City Attorney

ATTEST: 
Shirley A. Gentry
City Clerk